

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

AASIM HARPS-BUSBEE

Case No. 22-1131

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 11, 2022 in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

*Code Section*

18 U.S.C. 922(g)(1)

*Offense Description*

Possession of ammunition by a convicted felon

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet./s Franklin Fernandez*Complainant's signature*Franklin Fernandez, Special Agent, ATF*Printed name and title*

Sworn to before me and signed in my presence.

Date: 07/18/2022

Elizabeth T. Hey

2022.07.18 11:19:08 -04'00'

*Judge's signature*City and state: Philadelphia, PAHon. Elizabeth T. Hey, U.S. Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF COMPLAINT**

I, Franklin Fernandez, being duly sworn under oath and deposed, state the following: I am a Special Agent for the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since March 2018. Prior to ATF, I worked for approximately four years as a criminal investigator with the Naval Criminal Investigative Service (NCIS) in Virginia Beach, VA, and was responsible for felony level investigations that involved the United States Navy and Marine Corps. Among a myriad of case categories I investigated while at NCIS, I was primarily focused on death cases, sexual assault cases, physical threat cases and theft of United States government property cases. I am currently assigned to ATF Philadelphia Group III, which is a Firearms Enforcement Group whose primary responsibilities include investigating violent crime as well as individuals or groups who commit violations of federal laws in Philadelphia, Pennsylvania. I have successfully completed the Criminal Investigator Training program (CITP) as well as the ATF Special Agent Basic Training program (SABT). As a result of my training and experience, and that of other investigators, I am familiar with investigations involving violations of Federal firearms and narcotics laws, and based on my prior investigations I am familiar with Federal search warrants and seizing evidence in accordance with the probable cause set forth in the affidavits. I have authored and executed Federal search warrants in the past and have provided affidavits at the state and Federal level in support of search warrants in firearms and narcotics investigations.

1. I submit this affidavit in support of a criminal complaint and arrest warrant charging AASIM HARPS-BUSBEE (“HARPS-BUSBEE”) with a violation of 18 U.S.C. § 922(g)(1) (felon in possession of ammunition).

2. Because this affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a criminal complaint and arrest warrant, I have not included each fact known to me concerning this investigation. The information provided below is based on my investigation, as well as upon information shared with me by other law enforcement personnel and police reports.

3. In July of 2022, ATF Group III investigators became aware of the social media activity of HARPS-BUSBEE using Instagram account “six0.seem”. Investigators were familiar with HARPS-BUSBEE from previous investigations and know him to be a member of a street gang “Northside” which has been involved in a violent feud for years with the nearby Philadelphia, Pennsylvania, “Southside” street gang, among others.

4. On July 6, 2022, at approximately 12:32 p.m., ATF investigators observed and recorded a “story” post to HARPS-BUSBEE’s Instagram account that depicted money, a lighter, a “Backwoods” blunt wrapper and what appeared to be a .380 caliber silver and black semi-automatic pistol and the serial number appeared to be “S001017.” The lighter was secured in a blue belt clip consistent with pictures of HARPS-BUSBEE previously posted to his Instagram account.

5. On July 8, 2022, at approximately 11:19 a.m., ATF investigators observed and recorded a “story” post to the Instagram account “six0.seem” reading “Who need a 80 I need 7”. Based on my training and experience, I, as well as other investigators I consulted, believe that this post was an advertisement of a .380 caliber pistol for sale for \$700. Investigators noted that the caliber offered for sale was identical to the firearm shown in the July 6, 2022, post. Based on my knowledge of the current street value of firearms, \$700 is

consistent with the street value of a small caliber firearm.

6. On July 11, 2022, ATF investigators observed and recorded a post made to the account “six0.seem”. In the post HARPS-BUSBEE was dressed in a red shirt and shoes, black belt, black crossbody bag, and grey jeans. The photograph was tagged “60th Street Station” and the surroundings appeared consistent with the SEPTA Market-Frankford Line’s (the El) 60th Street Station. From my investigation, I know HARPS-BUSBEE frequents this area. ATF investigators noted that one of the pictures showed HARPS-BUSBEE with a rectangular object concealed in his waistband that appears to be the handle of a firearm. The accompanying timestamp indicated that the post was created on July 10th, at approximately 8:00 p.m., and was accompanied by the caption “Keep a blicky shxt get stick, ain’t no trapper fuckin wit me” followed by emojis and hashtags including “#northside”. In my training and experience, the term “blicky” is synonymous with a firearm and I believe that the caption when viewed in combination with the photo noted above is an admission by HARPS-BUSBEE’s to possessing a firearm.

7. On July 11, 2022, ATF investigators watched Real-Time Crime cameras around 60<sup>th</sup> Street and Market Street, Philadelphia, Pennsylvania, and observed HARPS-BUSBEE in the area wearing the identical clothing noted above on his Instagram post dated July 11, 2022. At 11:15 a.m., investigators initiated a conversation with the Instagram account “six0.seem” and inquired about the availability of the firearm HARPS-BUSBEE posted for sale. Instagram account “six0.seem” responded and identified the firearm that was being offered for sale was his firearm. Investigators requested a picture of the firearm, which “six0.seem” agreed to and provided the response, “Hold on imma go to the side block

I'm in the deli". Nearly contemporaneously, HARPS-BUSBEE was observed by investigators on Real-Time Crime cameras walk eastbound on 5900 Market Street, Philadelphia, Pennsylvania and then northbound on the unit block of North Salford Street, Philadelphia, Pennsylvania, with a cell phone in his right hand. HARPS-BUSBEE was then seen on Real-Time Crime cameras continuing northbound on Salford Street, Philadelphia, Pennsylvania, midblock where, at 11:34 a.m., he was observed ducking down behind several parked vehicles out of the view of the Real-time crime camera. Investigators received a still image of a Sig Sauer, Model P230, semi-automatic pistol, from the Instagram account "six0.seem" at 11:36 a.m. and agreed to meet with the account's operator, believed to be HARPS-BUSBEE later in the day to purchase the firearm from him around 60th and Market Street, Philadelphia, Pennsylvania, for \$700.

8. On July 11, 2022, at approximately 12:38 p.m., ATF investigators and members of the Philadelphia Police Department's ("PPD") 19th District detained HARPS-BUSBEE in front of the beer deli at 5937 Market Street, Philadelphia, Pennsylvania. PPD recovered marijuana packaged for distribution and six .380 caliber live rounds from HARPS-BUSBEE's crossbody bag. HARPS-BUSBEE was transported to the 19th District where he waived his Miranda-warnings and agreed to speak with investigators. HARPS-BUSBEE admitted to possessing and photographing the depicted pistol but stated that he handed the pistol to an unknown person in the area of 60th and Market Street, Philadelphia, Pennsylvania, approximately 20 minutes before he was stopped by police. He further admitted that he carried a firearm for protection due to his involvement in the illegal sale of narcotics. Investigators asked HARPS-BUSBEE about the ammunition that was recovered

from his bag. HARPS-BUSBEE responded, he forgot it (ammunition) was in the bag and he just got rid of the firearm earlier. HARPS-BUSBEE consented to the search of his cellphone and provided investigators with the passcode. A brief review of the digital contents of HARPS-BUSBEE's phone revealed a still image clearly showing the firearm's serial number to be "S001017." This is consistent with the firearm that was originally observed on Instrgram as noted in paragraph four. HARPS-BUSBEE's phone was also logged into the Instagram application using the account "six0.seem".

9. ATF Investigators determined that the three (3) live rounds of "Perfecta" .380 auto ammunition and the three (3) live rounds of "Winchester" .380 auto ammunition, possessed by HARPS-BUSBY, is "ammunition" as defined in Title 18 U.S.C., Chapter 44, Section 921 (a)(3) and was not manufactured in the Commonwealth of Pennsylvania. Specifically, the three Winchester rounds were manufactured in Illinois and the three Perfecta rounds were manufactured in Italy.

10. On May 25, 2022, HARPS-BUSBEE was convicted of statutory sexual assault in the Philadelphia County Court of Common Pleas, docket number CP-51-CR-0007524-2019. On the same date, also in the Philadelphia County Court of Common Pleas, HARPS-BUSBEE was convicted of robbery of a motor vehicle, theft by unlawful taking, and receiving stolen property in CP-51-CR-0007664-2019. In both cases, he was sentenced to a term of incarceration of 11.5 to 23 months and five years of probation. Thus, on July 11, 2022, HARPS-BUSBEE had previously been convicted of a crime punishable by more than one year imprisonment and was aware of that conviction.

11. Based on the above, I believe that probable cause exists that on July 11, 2022,

in the Eastern District of Pennsylvania, Aasim HARPS-BUSBEE violated Title 18 U.S.C. § 922(g)(1) (felon in possession of ammunition).

/s Franklin C. Fernandez  
Franklin C. Fernandez  
Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Subscribed and sworn to before me on July 18, 2022



Elizabeth T. Hey  
2022.07.18 11:17:13 -04'00'

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Honorable Elizabeth T. Hey  
United States Magistrate Judge